

**REMARKS**

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1, 3-12, and 14-19 are presently pending in the present application. Claims 1, 12, 14, and 16 have been amended by way of the present Amendment. No new matter is introduced by this amendment. (See, e.g., FIGS. 1-3; page 13, line 12, through page 14, line 8; page 15, line 17, through page 16, line 3.)

In the Office Action, claims 1, 5-7, 10-12, and 14-19 were rejected under 35 U.S.C. §103(a) as being obvious in view of *Weiler et al.* (U.S. Patent No. 5,970,395) and *Seike et al.* (U.S. Patent No. 6,243,576), and claims 3, 4, 8, and 9 were rejected under 35 U.S.C. §103(a) as being obvious in view of *Weiler et al.* and *Seike et al.* and further in view of Agilent PNA Network Analyzers. The Applicants respectfully request the withdrawal of the obviousness rejections for the reasons set forth below.

The Applicants submit that the *a prima facie* case of obviousness cannot be established based on the applied references, since there is no evidentiary support for the conclusion that the features recited in the claims were known at the time of the present invention. Accordingly, the Applicants request that such evidentiary support be placed on the record, or the obviousness rejections withdrawn.

Independent claims 1, 12, and 16 have been amended to recite “one or more of the first high-frequency module and the second high-frequency module includes **a local oscillator**, and wherein **the one or more high-frequency module including the local oscillator is provided in a housing that is separate from a housing of the measuring-device unit.**” The applied art, either when taken singularly or in combination, fail to disclose all of the above features.

By providing a high-frequency module that is provided in a housing that is separate from a measuring-device unit, a length of cable between the device under test and the measuring device can be advantageously minimized. (See, e.g., discussion on page 2, line 4, through page 3, line 24; page 16, line 26, through page 17, line 3; and page 21, lines 4-14.)

In the Office Action, the portable computer (15) of *Weiler et al.* is cited as the device under test, the monitoring unit (5) as the measuring-device unit, and receiver units (3a-3n) as the at least one high-frequency module. *Weiler et al.* is cited for the teaching of the features of claim 1 except that the Office Action notes that *Weiler et al.* fails to explicitly state a diagram of an I-Q level in the measuring device. For such features, the Office Action cites *Seike et al.*

The Applicants note that neither *Weiler et al.*, nor *Seike et al.* teach a high-frequency module including an oscillator that is provided in a housing that is separate from a housing of a measuring-device unit. *Weiler et al.* does not mention such an oscillator, and the Office Action with respect to previously pending claim 14, which recites a local oscillator, cites FIG. 13 of *Seike et al.* for the teaching of a local oscillator.

*Seike et al.* describe a radio communication analyzer that can test a radio device under test. As can be seen in FIG. 1B of *Seike et al.*, this reference does not contemplate a housing for a high-frequency module that is separate from a housing of a measuring-device unit. In *Seike et al.*, a single housing is depicted, and no such separate housing is contemplated or even suggested, with the only possible exception being for a data storage unit, and clearly not for a high-frequency module including a local oscillator. While the embodiment of FIG. 13 describes a local oscillator, such local oscillator is not included as part of a high-frequency module that is provided in a housing that is separate from a housing of a measuring-device unit.

Rather, the local oscillator is described as being part of the radio communication analyzer, which is clearly shown as being in a single housing in FIG. 1B.

Furthermore, *Weiler et al.* does not provide any reason for providing such a local oscillator in a housing separate from a housing of a measuring-device unit. The monitoring unit (5) in *Weiler et al.* is being cited for the measuring-device unit, and receiver units (3a-3n) as the at least one high-frequency module. However, the receiver units (3a-3n) do not perform any signal processing, for example by an oscillator, but rather are merely used to receive the signal, and merely perform a threshold and frequency range scanning, and then transmits the signal to the monitoring unit (5). Accordingly, such a teaching would not have lead one of ordinary skill in the art to modify the teaching in *Seike et al.* to include a local oscillator anywhere but in the radio communication analyzer housing, absent hindsight considerations.

Thus, the Applicants respectfully submit that the cited references, either when taken singularly or in combination, fail to disclose or suggest all of the features recited in independent claims 1, 12, and 16. Accordingly, the Applicants request the withdrawal of the obviousness rejections thereof.

The dependent claims are considered allowable for the reasons advanced for the independent claim from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed nor suggested by the applied references when those features are considered within the context of their respective independent claim.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the

undersigned attorney at (703) 519-9957 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,  
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